

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**PERSONALIZED MEDIA)
COMMUNICATIONS, LLC,)**

Plaintiff)

v.)

**APPLE, INC.,)
_____)**

**TPV INT’L (USA), INC.,)
ET. AL.,)**

Defendants.)

**Civil Action No. 2:15-cv-01366-JRG-RSP
(Lead Case)**

**Civil Action No. 2:15-cv-01206-JRG-RSP
(Consolidated Case)**

P.R. 4-5(d) JOINT CLAIM CONSTRUCTION CHART

Pursuant to the Court’s Docket Control Orders and Patent Local Rule 4-5(d), Plaintiff Personalized Media Communications, L.L.C. (“PMC”) hereby submits the parties’ Joint Claim Construction Chart.

I. U.S. Patent No. 8,191,091

Claim Element	Disputed Term or Phrase	PMC's Proposed Construction	Apple's Proposed Construction
13. A method of decrypting programming at a receiver station, said method comprising the steps of:	decrypting/decryption (<i>see also</i> '091 patent, claims 20, 26; '635 patent, claims 1, 2, 13, 18, 20, 21, 32, 33)	a method that uses a digital key in conjunction with an associated algorithm to decipher (render intelligible or usable) digital data	deciphering (rendering intelligible or usable) data using a key
	programming (<i>see also</i> '091 patent, claims 20, 26; '635 patent, claims 1, 2, 3; '649 patent, claims 39, 54, 67)	everything that is transmitted electronically to entertain, instruct, or inform, including television, radio, broadcast, print, and computer programming as well as combined medium programming	as to the '091 and '649 patents: everything that is transmitted electronically to entertain, instruct, or inform, including television, radio, broadcast, print, and computer programming as well as combined medium programming, at least a portion designed for multiple recipients
receiving an encrypted digital information transmission including <u>encrypted</u> ¹ information;	encrypted (<i>see also</i> '091 patent, claim 20, 26; '635 patent claims 1, 2, 18, 20, 21, 32, 33)	an operation performed on digital data in conjunction with an associated algorithm and digital key to render the digital data unintelligible or unusable	encoded (rendered unintelligible or unusable) using a key
	encrypted digital information transmission (<i>see also</i> '091 patent, claim 20; '635 patent claims 18, 20, 32, 33)	Signals sent or passed from one location to another location to convey digital information which is in encrypted form. as discussed below, "encrypted/encrypt-ion" is "an operation performed on digital data in conjunction with an associated algorithm and digital key to render the digital data unintelligible or unusable" "digital information" includes instructions/commands and data	a transmission from one location to other locations that includes digital information in unintelligible or unusable form
detecting in said encrypted digital information transmission the presence of an instruct-to-enable signal;	detecting ... [in said encrypted digital information transmission the presence of an instruct-to-enable signal]	this term does not require construction beyond its plain and ordinary meaning	demodulating and identifying ... [in said encrypted digital information transmission the presence of an instruct-to-enable signal]

Claim Element	Disputed Term or Phrase	PMC's Proposed Construction	Apple's Proposed Construction
	<p>instruct-to-enable signal</p> <p>(see also '091 patent, claims 20, 26)</p>	<p>a signal carrying information used by the receiver station to enable the implementation of the enumerated operation</p>	<p>a signal that provides an enabling instruction</p>
<p>passing said <u>instruct-to-enable signal</u> to a processor;</p>	<p>processor</p> <p>(see also '091 patent, claims 20, 26; '635 patent, claims 18, 21, 33; '649 patent, claims 39, 54, 62, 67; '088 patent, claim 14)</p>	<p>a device that performs operations according to instructions</p>	<p>a device that operates on data</p>
<p>determining a fashion in which said receiver station locates a first decryption key by processing said <u>instruct-to-enable signal</u>;</p> <p>locating said first <u>decryption key</u> based on said step of determining;</p> <p><u>decrypting</u> said <u>encrypted</u> information using said first <u>decryption key</u>; and</p> <p>outputting said <u>programming</u> based on said step of <u>decrypting</u>.</p>	<p>determining a fashion in which said receiver station locates a first decryption key</p>	<p>this term does not require construction beyond its plain and ordinary meaning</p> <p>to the extent, however, that the Court believes such term requires construction, PMC proposes the following construction:</p> <p>determining how the receiver station locates a first decryption key.</p> <p>See also proposed construction for "decryption key."</p>	<p>deciding which method said receiver will use to locate a first decryption key</p>
	<p>decryption key</p> <p>(See also '091 patent, claim 20)</p>	<p>digital data used by a device or method in conjunction with an associated algorithm to decipher (render intelligible or usable) encrypted digital information</p>	<p>key used for deciphering (rendering intelligible or usable) data</p>

Claim Element	Disputed Term or Phrase	PMC's Proposed Construction	Apple's Proposed Construction
<p>20. A method of <u>decrypting programming</u> at a receiver station, said method comprising the steps of:</p> <p>receiving an <u>encrypted digital information transmission</u> including <u>encrypted</u> information;</p> <p>detecting in said encrypted digital information transmission the presence of a first instruct-to-enable signal including first processor instructions;</p> <p>executing said first <u>processor instructions</u> of said first <u>instruct-to-enable signal</u> to provide a first <u>decryption key</u>;</p>	<p>processor instructions</p>	<p>[AGREED]</p>	<p>[AGREED]</p>
	<p>detecting ... [in said encrypted digital information transmission the presence of a first instruct-to-enable signal including first processor instructions]</p>	<p>this term does not require construction beyond its plain and ordinary meaning</p>	<p>demodulating and identifying ... [in said encrypted digital information transmission the presence of a first instruct-to-enable signal including first processor instructions]</p>

Claim Element	Disputed Term or Phrase	PMC's Proposed Construction	Apple's Proposed Construction
<p>detecting in said encrypted digital information transmission the presence of a second instruct-to-enable signal including second processor instructions;</p> <p>executing said second <u>processor</u> instructions to provide a second <u>decryption key</u>;</p> <p><u>decrypting</u> said <u>encrypted</u> information using said first and second <u>decryption keys</u>; and</p> <p>outputting said <u>programming</u> based on said step of <u>decrypting</u>.</p>	<p>detecting ... [in said encrypted digital information transmission the presence of a second instruct-to-enable signal including second processor instructions]</p>	<p>this term does not require construction beyond its plain and ordinary meaning</p>	<p>demodulating and identifying ... [in said encrypted digital information transmission the presence of a second instruct-to-enable signal including second processor instructions]</p>
<p>26. A method of <u>decrypting programming</u> at a receiver station, said method comprising the steps of:</p> <p>receiving an information transmission including <u>encrypted</u> information;</p> <p>detecting the presence of an instruct-to-enable signal;</p> <p>passing said <u>instruct-to-enable signal</u> to a <u>processor</u>;</p>	<p>detecting ... [the presence of an instruct-to-enable signal]</p>	<p>this term does not require construction beyond its plain and ordinary meaning</p>	<p>demodulating and identifying ... [the presence of an instruct-to-enable signal]</p>
<p>automatically tuning said receiver station to a channel designated by said <u>instruct-to-enable signal</u>;</p>	<p>tuning said receiver station to a channel</p>	<p>switching the input of the receiver station to a particular communications path</p>	<p>selecting a frequency for said receiver station to receive programming</p>

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